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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 CHARLES TURNER,

9 Plaintiff,

10 v.  
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12 JOHN POTTER, Postmaster  
13 General, et al.,

14 Defendants.  
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2:05-CV-1153 JCM (LRL)

Date: N/A

Time: N/A

16 **ORDER**

17 Presently before the court is defendants' motion for summary judgment (#25). Defendant  
18 has failed to submit admissible evidence in support of arguments made in his motion for summary  
19 judgment. *See Orr v. Bank of America*, 285 F.3d 764 (9th Cir. 2002).

20 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that defendants' motion  
21 for summary judgment (#30), be, and the same hereby is, DENIED.

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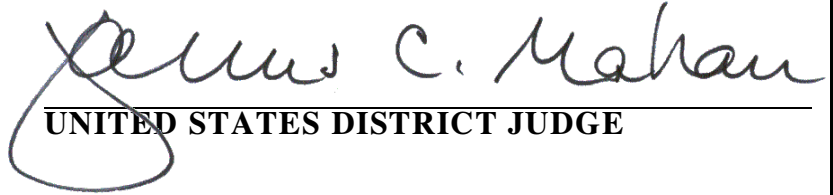
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the hearing scheduled  
2 for September 14, 2006, be, and the same hereby is, VACATED.

3 DATED this 11<sup>h</sup> day of September, 2006.

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6 UNITED STATES DISTRICT JUDGE  
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